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OFFICE OF PETITIONS


In re Application of :
Boman, et al. :
Application No. 10/667,282 : **DECISION ON PETITION**
Filed: 17 September, 2003 :
Attorney Docket No. 185740 :

This is a decision on the petition under 37 CFR 1.78(a)(6), filed 21 March, 2006, to accept an unintentionally delayed claim under 35 U.S.C. §119(e) for the benefit of the prior-filed provisional application set forth in the concurrently filed amendment.

The petition is directed to a moot issue and is hence **DISMISSED** in view of the request filed 22 May, 2006, withdrawing the petition under 37 CFR 1.78(a)(6). Petitioner's fee has being refunded to Deposit Account 10-0447. Should Petitioner later find that a petition fee was not refunded, Petitioner should request a refund from the Office of Finance and enclose therewith a copy of this decision.

Any inquiries concerning this decision may be directed to John Gillon at (571) 272-3214. All other inquiries concerning either the examination procedures or status of the application should be directed to the Technology Center.

The application is being forwarded to Technology Center AU 2612 for consideration by the examiner of the claim under 35 U.S.C. §119(e) for the benefit of priority to the prior-filed provisional application.


Anthony Knight
Supervisor
Office of Petitions



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: March 17, 2006

Signature:

[Handwritten Signature]
(Rebecca Gulman-Gulman)

Docket No.: 62929-00002USPT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hans Boman et al.

Application No.: 10/667282

Confirmation No.: 8635

Filed: September 17, 2003

Art Unit: 2131

For: METHOD AND SYSTEM FOR MONITORING
CONTAINERS TO MAINTAIN THE
SECURITY THEREOF

Examiner: Not Yet Assigned

PETITION TO ACCEPT UNINTENTIONALLY-DELAYED
PRIORITY CLAIM

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 35 USC § 119 and 37 CFR § 1.78(a)(4) and 1.78(a)(5), Applicants petition the Commissioner to consider Applicants' unintentionally-delayed priority claim under 35 USC § 119. The reference required by 35 USC § 119 and 37 CFR § 1.78(a)(4) is set forth in the concurrently-filed amendment.

03/04/2008 CKHLOK 00000004 10667282

01 FC:1999

130.00 OP

As required by 37 CFR § 1.78(a)(6)(iii), Applicants hereby assert that the entire delay between the date the priority claim was due under 37 CFR § 1.78(a)(5)(ii) and the date the priority claim is being filed was unintentional. In accordance with 37 CFR § 1.78(a)(6)(ii) and 37 CFR § 1.17(t), a check in the amount of \$130.00 is attached to this Petition to cover the cost of the surcharged required by 37 CFR § 1.17(t). In light of the above, Applicants respectfully request the Commissioner to consider and grant this petition.

Should there be any additional fees, the Commissioner is hereby authorized to charge such fees as may be required by this paper to Deposit Account Number 10-0447. If there is an excess, please credit the same to Deposit Account No. 10-0447.

DALLAS2 1149079v1 62929-00002

Adjustment date: 03/04/2008 CKHLOK
03/22/2006 TBESHAN1 00000013 100447 10667282
01 FC:1454 1240.00 CR -130.00 OP

03/22/2006 TBESHAN1 00000013 100447 10667282
01 FC:1454 1240.00 DA 130.00 OP

Application No.: 10/667282

Docket No.: 62929-00002USPT

Dated: March 17, 2006

Respectfully submitted,

By 

Ross T. Robinson

Registration No.: 47,031

JENKENS & GILCHRIST, A PROFESSIONAL
CORPORATION

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Attorneys For Applicant

UNITED STATES PATENT & TRADEMARK OFFICE
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| REQUEST FOR PATENT FEE REFUND | | | | | | | | | | | |
|---|-----------------------------------|--|-----------------------------|-------------|---|---|----|---|---|---|---|
| 1 Date of Request: _____ | | 2 Serial/Patent # _____ 10/667,282 | | | | | | | | | |
| 3 Please refund the following fee(s): | | 4 PAPER NUMBER | 5 DATE FILED | 6 AMOUNT | | | | | | | |
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| | Overpayment | Treasury Check | | | | | | | | | |
| | Duplicate Payment | Credit Deposit A/C #: | | | | | | | | | |
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| X | No Fee Due (Explanation): | | | | | | | | | | |
| Petition withdrawn | | | | | | | | | | | |
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| 11 REFUND REQUESTED BY: _____ | | | | | | | | | | | |
| TYPED/PRINTED NAME: _____ gillon | | TITLE: _____ atty | | | | | | | | | |
| SIGNATURE: _____ /John Gillon/ | | PHONE: _____ 23214 | | | | | | | | | |
| OFFICE: _____ OP | | | | | | | | | | | |
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| APPROVED: | | DATE: <u>3/4/08</u> | | | | | | | | | |

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